

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF SOUTH CAROLINA**

MARK FITZHENRY, individually and on behalf of a class of all persons and entities similarly situated,

Plaintiff

vs.

LOWE'S COMPANIES, INC.  
GE CAPITAL RETAIL BANK

Defendants

Case No. 14-cv-02081-RMG

**STIPULATION TO DISMISS**

NOW COME the Parties, by and through their respective attorneys, and pursuant to Fed R. Civ. Proc. 41(a)(1)(A)(ii), hereby stipulate and agree to the dismissal of Plaintiff's individual claims against Defendants Lowe's Companies, Inc. and GE Capital Retail Bank (now known as Synchrony Bank) with prejudice, with each party bearing its own costs. Plaintiff's class claims are dismissed without prejudice and with each party bearing its own costs. This stipulation of dismissal disposes of the entire action.

Dated: October 20, 2014

Respectfully submitted,

Mark Fitzhenry, *Plaintiff*

By: s/ Lance S. Boozer

Respectfully submitted,

Lowe's Companies, Inc. and GE Capital Retail Bank, now known as Synchrony Bank, *Defendants*

By: s/ Beattie B. Ashmore

Lance S. Boozer  
The Boozer Law Firm, LLC  
807 Gervais Street, Suite 203  
Columbia, SC 29201  
Tele: (803) 608-5543  
Fax: (803) 926-3463  
lsb@boozerlawfirm.com

Edward A. Broderick (*pro hac vice*)  
Anthony Paronich (*pro hac vice*)  
Broderick Law, P.C.  
125 Summer St., Suite 1030  
Boston, MA 02110  
Tele: (617) 738-7080  
ted@broderick-law.com  
anthony@broderick-law.com

Matthew P. McCue (*pro hac vice*)  
The Law Office of Matthew P. McCue  
1 South Avenue, Suite 3  
Natick, Massachusetts 01760  
Tele: (508) 655-1415  
Fax: (508) 319-3077  
mmccue@massattorneys.net

Beattie B. Ashmore  
Beattie B. Ashmore, P.A.  
650 E. Washington Street  
Greenville, S.C. 29601  
Tele: (864) 467-1001  
Fax: (864) 672-1406  
Beattie@beattieashmore.com

Henry Pietrkowski (*pro hac vice*)  
Reed Smith LLP  
10 S. Wacker Dr., 40th Floor  
Chicago, IL 60606  
Tele: (312) 207-3904  
Fax: (312) 207-6400  
hpietrkowski@reedsmith.com